

1 AN ACT concerning higher education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Smoke-Free Campus Act.

6 Section 5. Findings. The General Assembly finds that  
7 tobacco smoke is a harmful and dangerous carcinogen to human  
8 beings and a hazard to public health. Secondhand tobacco smoke  
9 causes at least 65,000 deaths each year from heart disease and  
10 lung cancer according to the National Cancer Institute.  
11 Secondhand tobacco smoke causes heart disease, stroke, cancer,  
12 sudden infant death syndrome, low birth weight in infants,  
13 asthma and the exacerbation of asthma, bronchitis, and  
14 pneumonia in children and adults. Secondhand tobacco smoke is  
15 the third leading cause of preventable death in the United  
16 States. Illinois workers exposed to secondhand tobacco smoke  
17 are at an increased risk of premature death. An estimated 2,900  
18 Illinois citizens die each year from exposure to secondhand  
19 tobacco smoke.

20 The General Assembly also finds that the United States  
21 Surgeon General's 2006 report has determined that there is no  
22 risk-free level of exposure to secondhand smoke; the scientific  
23 evidence that secondhand smoke causes serious diseases,

1 including lung cancer, heart disease, and respiratory  
2 illnesses such as bronchitis and asthma, is massive and  
3 conclusive; separating smokers from nonsmokers, cleaning the  
4 air, and ventilating buildings cannot eliminate secondhand  
5 smoke exposure; smoke-free policies are effective in reducing  
6 secondhand smoke exposure.

7 The General Assembly also finds that a law that prohibits  
8 smoking on the campuses of State-supported institutions of  
9 higher education will reduce secondhand smoke exposure among  
10 nonsmokers as well as prepare students for the workplace and  
11 ensure a healthy environment for all campus communities.

12 Section 10. Definitions. In this Act:

13 "Campus" means all property, including buildings, grounds,  
14 parking lots, and vehicles that are owned or operated by a  
15 State-supported institution of higher education, but does not  
16 include enclosed laboratories, not open to the public, in an  
17 accredited university or government facility where the  
18 activity of smoking is exclusively conducted for the purpose of  
19 medical or scientific, health-related research.

20 "Employee" means an individual who is employed by a  
21 State-supported institution of higher education in  
22 consideration for direct or indirect monetary wages or profit.

23 "Governing authority" means the administrative branch of  
24 the State-supported institution of higher education.

25 "Guest" means a visitor to the campus of a State-supported

1 institution of higher education.

2 "Smoke" or "smoking" means the carrying, smoking, burning,  
3 inhaling, or exhaling of any kind of lighted pipe, cigar,  
4 cigarette, hookah, weed, herbs, or other lighted smoking  
5 equipment. "Smoke" or "smoking" also includes products  
6 containing or delivering nicotine intended or expected for  
7 human consumption, or any part of such a product, that is not a  
8 tobacco product as defined by Section 321(rr) of Title 21 of  
9 the United States Code, unless it has been approved or  
10 otherwise certified for legal sale by the United States Food  
11 and Drug Administration for tobacco use cessation, harm  
12 reduction, or for other medical purposes and is being marketed  
13 and sold solely for that approved purpose. "Smoke" or "smoking"  
14 does not include smoking that is associated with a native  
15 recognized religious ceremony, ritual, or activity by American  
16 Indians that is in accordance with the federal American Indian  
17 Religious Freedom Act, Sections 1996 and 1996a of Title 42 of  
18 the United States Code.

19 "Student" means an individual enrolled in a credit or  
20 noncredit course at a State-supported institution of higher  
21 education.

22 "State-supported institution of higher education" means  
23 the University of Illinois, Southern Illinois University,  
24 Chicago State University, Eastern Illinois University,  
25 Governors State University, Illinois State University,  
26 Northeastern Illinois University, Northern Illinois

1 University, Western Illinois University, and the public  
2 community colleges subject to the Public Community College Act.

3 Section 15. Prohibitions on smoking.

4 (a) Beginning on July 1, 2014, smoking is prohibited on  
5 each campus of a State-supported institution of higher  
6 education. The prohibition set forth in this subsection (a)  
7 shall not apply to any instance in which an individual is  
8 traveling through or parked on a campus in a vehicle that is  
9 not owned by a State-supported institution of higher education.

10 (b) An individual or campus subject to the smoking  
11 prohibitions of this Act may not discriminate or retaliate in  
12 any manner against a person for making a complaint of a  
13 violation of this Act or furnishing information concerning a  
14 violation to a person, campus, or governing authority.

15 (c) The prohibitions on smoking in this Act must be  
16 communicated to all students and employees of State-supported  
17 institutions of higher education on or before May 1, 2014 and  
18 to each guest of a State-supported institution of higher  
19 education upon request.

20 Section 20. Smoke-free campus task force. On or before  
21 December 31, 2013, each State-supported institution of higher  
22 education shall establish a community task force for the  
23 purpose of coordinating with community and campus leaders for  
24 the implementation of this Act.

1           The governing board of each State-supported institution of  
2 higher education shall coordinate with its respective  
3 community task force to implement a public education and notice  
4 program regarding this Act. As part of the notice to students,  
5 employees, and the public, "No Smoking" signs or the  
6 international "No Smoking" symbol (consisting of a pictorial  
7 representation of a burning cigarette enclosed in a red circle  
8 with a red bar across it) may be clearly and conspicuously  
9 posted on each campus where smoking is prohibited by this Act.

10           Section 25. Penalties and rules. The governing board of  
11 each State-supported institution of higher education shall  
12 implement this Act and shall promulgate all policies and  
13 regulations necessary for this purpose, including, but not  
14 limited to, disciplinary action, fines, and an appeals process.  
15 Any State-supported institution of higher education may  
16 regulate smoking in public places, but that regulation must be  
17 no less restrictive than this Act.

18           Section 99. Effective date. This Act takes effect upon  
19 becoming law.